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2014-346-WS

Duke, Daphne

From: Boyd, Jocelyn
Sent: Wednesday, December 20, 2017 4:30 PM
To: Easterling, Deborah; Duke, Daphne
Subject: FW: DIUC Consent Motion
Attachments: 12-19-17 LT Clerk and Motoin to Amend.pdf

From: Nancy Jane Dennis [mailto:NJDennis@WGFLAW.com]
Sent: Tuesday, December 19, 2017 3:35 PM
To: Bateman, Andrew <abateman@regstaff.sc.gov>; John J. Pringle, Jr. <jack.pringle@arlaw.com>; Boyd, Jocelyn <Jocelyn.Boyd@psc.sc.gov>; Butler, David <David.Butler@psc.sc.gov>
Cc: Thomas P. Gressette, Jr. <Gressette@WGFLAW.com>
Subject: DIUC Consent Motion

Please see attached which has been mailed today.



NANCY JANE DENNIS Paralegal
 843.727.2222 direct
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G. Trenholm Walker
Thomas P. Gressette, Jr.
Ian W. Freeman
John P. Linton, Jr.
Charles P. Summerall, IV

THOMAS P. GRESSETTE, JR.
Direct: 843.727.2249
Email: Gressette@WGFLAW.com

December 19, 2017

Hon. Daniel E. Shearouse
Clerk of Court
1231 Gervais Street
Supreme Court of South Carolina
Columbia, SC 29201

Re: Daufuskie Island Utility Company, Inc., Appellant, v. South Carolina Office of
Regulatory Staff, et al., Respondents
Appellate Case No. 2016-000652

Dear Mr. Shearouse:

Enclosed please find the original and six copies of **CONSENT MOTION TO AMEND
ORDER AWARDING COSTS** with Proof of Service to be filed in the above-referenced case.

Counsel for the South Carolina Office of Regulatory Staff and Counsel for Haig Point Club and
Community Association, Inc., Melrose Property Owner's Association, Inc., Bloody Point
Property Owner's Association will be sending their original signature pages. Attached for filing
purposes is a scanned copy of those signatures.

Thank you for your courtesies in filing these with the court.

Yours very truly,

A handwritten signature in black ink, appearing to be "T. Gressette".

Thomas P. Gressette, Jr.

c: Hon. Jocelyn Boyd
David Butler
Shannon Bowyer Hudson
Andrew M. Bateman
John J. Pringle, Jr.

STATE OF SOUTH CAROLINA
In the Supreme Court

APPEAL FROM THE PUBLIC SERVICE COMMISSION

Appellate Case No. 2016-000652

Daufuskie Island Utility Company, Inc.,

Appellant,

v.

South Carolina Office of Regulatory Staff,
Haig Point Club and Community Association, Inc.,
Melrose Property Owner's Association, Inc., and
Bloody Point Property Owner's Association,

Respondents.

CONSENT MOTION TO AMEND ORDER AWARDING COSTS

VIA ORDER DATED NOVEMBER 15, 2017, this Court, pursuant to Rule 222 of the South Carolina Appellate Court Rules, granted in part the Motion for Costs filed by Daufuskie Island Utility Company, Inc. and awarded costs in the amount of \$6,656.37 against South Carolina Office of Regulatory Staff, Haig Point Club and Community Association, Inc., Bloody Point Property Owner's Association, and Beach Field Properties, LLC.

The November 15, 2017, Order did not include Respondent Melrose Property Owner's Association, Inc. and should be amended accordingly. Additionally, the November 15, 2017, Order mistakenly included Respondent Beach Field Properties, LLC ("Beach Field") and the Order should be amended accordingly.

Beach Field previously moved (November 10, 2016) to amend the caption explaining with all parties' consent that Beach Field participated as a party to the administrative proceeding before the Public Service Commission of South Carolina, but Beach Field did not assert a position regarding the issues on appeal. The Court granted Beach Field's Motion to Amend the Caption via order dated November 23, 2016, and Beach Field Properties, LLC, was to no longer be listed as a party to this Appeal.

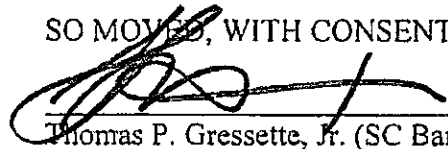
Respondent Melrose Property Owner's Association, Inc. remains and is an active party in this Appeal.

WHEREFORE, as indicated below, the parties to this Appeal jointly request this Court amend its November 15, 2017, Order to clarify the award of costs be split equally among the following four parties to the Appeal:

- South Carolina Office of Regulatory Staff,
- Haig Point Club and Community Association, Inc.,
- Melrose Property Owner's Association, Inc., and
- Bloody Point Property Owner's Association.

AND, FURTHER, the parties jointly request this Court order the South Carolina Public Service Commission, as the lower tribunal in this proceeding, to reflect this amended award of costs to the remittitur.

SO MOVED, WITH CONSENT.



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Attorneys for Appellant
Daufuskie Island Utility Company, Inc.
Charleston, South Carolina

December 18, 2017

WE CONSENT:



Andrew M. Bateman
SOUTH CAROLINA OFFICE OF REGULATORY STAFF
1401 Main Street, Suite 900
Columbia, SC 29201
ATTORNEYS FOR OFFICE OF REGULATORY STAFF

December 18, 2017

WE CONSENT:



John J. Pringle, Jr.
ADAMS & REESE, LLP
1501 Main Street, 5th Floor
Columbia, SC 29201
ATTORNEYS FOR HAIG POINT CLUB and COMMUNITY ASSOCIATION, INC.,
MELROSE PROPERTY OWNER'S ASSOCIATION, INC., and
BLOODY POINT PROPERTY OWNER'S ASSOCIATION

December 18, 2017

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APPEAL FROM THE PUBLIC SERVICE COMMISSION

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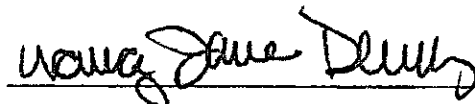
Respondents.

PROOF OF SERVICE

The undersigned hereby certifies that on this 19th Day of December, 2017, in Charleston, South Carolina, a copy of **CONSENT MOTION TO AMEND ORDER AWARDING COSTS** was served on counsel of record, by placing same in the United States Mail, first class postage prepaid as follows:

Shannon Bowyer Hudson M. Bateman
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BLOODY POINT PROPERTY OWNER'S ASSOCIATION


Nancy Jane Dennis